



Advocates for people with intellectual disabilities
and related developmental disabilities

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Testimony before the Judiciary Committee

**Re: S.B. #954, "An Act Concerning The Electronic Recording of
Custodial Interrogations"**

by

Lynn Warner, Executive Director/The Arc of Connecticut

Senator Coleman, Representative Fox, and Members of the Judiciary
Committee:

I am Lynn Warner, Executive Director of The Arc of Connecticut, a 59-
year-old statewide organization that advocates for individuals with
intellectual disabilities and their families. We have 23 local chapters that
provide supports, services, and advocacy for people with intellectual
disabilities throughout Connecticut.

I am here today to testify in support of **Senate Bill 954, "An Act
Concerning the Electronic Recording of Custodial Interrogations"**, as
it directly impacts individuals with intellectual disabilities who become
involved with the criminal justice system. This Bill is written to improve
the reliability of confessions by providing that statements made by a
person during custodial interrogation at a place of detention are presumed
inadmissible unless the custodial interrogation is electronically recorded.
The Arc supports this concept.

In general, people with intellectual disabilities get by in life by trying to
cover-up the fact that they even have a disability and by trying to please the
people around them. And as a natural result of their disabilities, they are
very subject to suggestion, and can easily be persuaded and manipulated
by others. Police officers and detectives are substantial authority figures
and they can have a profound effect on the thoughts and actions of anyone
— particularly someone with an intellectual disability — including having
him or her confess to a crime they didn't really commit.

The Arc/Connecticut, Inc. Member Chapters: Futures, Inc., Middletown / Greater Enfield Arc / Family Options, Watertown / The Arc of Farmington Valley /
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Southington / Tri County Arc, Columbia / Waterbury Arc / WeCAHR, Danbury

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We honestly believe that if videotaped recordings are used the judge and jury would be able to see and hear for themselves what went on in an interrogation room. This "second pair of eyes" could only improve the reliability of confessions, maintain justified innocence, as well as guard police officers from improper allegations – it seems that everybody is better protected.

Currently, there are several municipalities in Connecticut, such as West Hartford, who are wired with the proper equipment and are recording interviews. The report also states that the majority of those units who are operational are reporting positive opinions of the technology from their officers and detectives. The Arc of Connecticut strongly urges this process to continue and the equipment be installed in all municipalities.

It is important for this Committee to also know that The Arc of Connecticut absolutely believes in the innocence of Richard Lapointe, a gentleman with intellectual disabilities. We believe that if the 10-hour interrogation of Mr. Lapointe had been recorded, he would have never been sentenced to "Life Plus 60 Years" for the brutal 1989 murder of Bernice Martin in Manchester, Connecticut. We believe that the real murderer of Mrs. Martin is still running loose while Richard has quietly served over twenty years in prison for a crime he did not commit.

The Arc of Connecticut and its 23 local chapters will never walk away from this man. And we will continue to draw your attention to this very important matter again and again, until we see it through to completion.

Thank you for the opportunity to testify before you today.